IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

S.B.CRIMINAL MISC. PETITION NO. 180/2006
(Abdul Hamid Vs. State of Rajasthan & Anr.)

Date of Order : 03/10/2006

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. P.N.Mohanani for the petitioner.
Mr. Ashok Upadhyay, public prosecutor for the State.

BY THE COURT:-

By the instant criminal misc. petition under Section 482 Cr.P.C., the petitioner seeks quashing of FIR No.604/2005 Police Station, Pratap Nagar (Bhilwara) for the offences under Sections 376, 342 and 379 IPC.

I have heard learned counsel for the petitioner and public prosecutor for the State. Carefully gone through the FIR.

It is contended by learned counsel for the petitioner that before the instant FIR No.604/05, there had been an earlier FIR lodged by the complainant.

From the perusal of the material placed on record, it no where appears that any other FIR has been filed by the complainant prior to the present FIR. A photo copy of the

application alleged to have been filed before the Superintendent of Police, Bhilwara has been placed on record. From the perusal of the said application, it nowhere appears that any such application was ever presented before the Superintendent of Police, Bhilwara. In the circumstances, therefore, there being no prior FIR then the present one, and the FIR on perusal discloses the cognizable offences, in my view, no case for quashing the FIR is made out.

The petition has no force and it is therefore, dismissed. Stay petition also stands dismissed.

(H.R.PANWAR),J.

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